

Case 7417

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : #18  
Hoi Lun Allan TSE :  
I.A. No.: PCT/CA03/00522 :  
I.A. Filing Date: April 8, 2003 :  
U.S. Serial No. 10/510,890 :  
Filed: October 8, 2004 :  
For: PROCESS AND INTERMEDIATES :  
FOR PREPARING ESCITALOPRAM

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371 IN THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**

08/12/2005 MKAYPASH 00000127 10510890

01 FC:1617

130.00 OP

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Notice of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed July 1, 2005 attached is a check in the amount of \$130.00 for the late Oath and Declaration surcharge.

Also enclosed is a copy of an executed Declaration and Power of Attorney filed March 11, 2005 together with a date-stamped card evidencing filing.

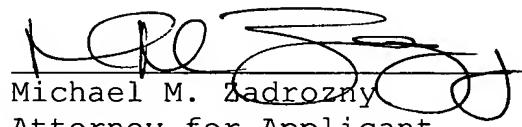
It is respectfully requested that all future correspondence in connection with this application be forwarded to the new counsel of record at the following address:

Michael M. Zadrozny, Esquire  
SHLESINGER, ARKWRIGHT & GARVEY, LLP  
1420 King Street, Suite 600,  
Alexandria, Virginia 22314  
Tel. No. (703) 684-5600  
Fax No. (703) 836-5288  
Customer No. **39196**

It is believed that no fee is due for this submission; however, should that determination be incorrect, the Examiner is hereby authorized to charge any deficiencies to our Deposit Account No. 19-2105, and notify the undersigned in due course.

Respectfully submitted,

Date: AUGUST 9, 2005

  
Michael M. Zadrozny  
Attorney for Applicant  
Reg. No. 30,985

SHLESINGER, ARKWRIGHT & GARVEY, LLP  
1420 King Street, Suite 600,  
Alexandria, Virginia 22314  
(703) 684-5600  
mr

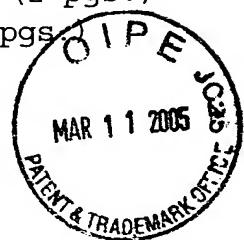
Case 7417

MMZ/lm

In re Patent Application Hoi Lun Allan TSE  
Serial No.: 10/510,890 - Filed: October 8, 2004  
For: PROCESS AND INTERMEDIATES FOR PREPARING ESCITALOPRAM

INCLUDING: **CHANGE OF CORRESPONDENCE ADDRESS AND SUBMISSION  
OF DECLARATION AND POWER OF ATTORNEY** (2 pgs.)  
Executed Declaration and Power of Attorney (3 pgs.)

PLEASE STAMP DATE RECEIVED AND RETURN.



**MAILROOM**

**DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which Letters Patent is sought on the invention entitled

**PROCESS AND INTERMEDIATES FOR PREPARING ESCITALOPRAM**

the specification of which \_\_\_\_\_ is attached hereto  
(check one) \_\_\_\_\_ **X** was filed on October 8, 2004  
as Application S.N. 10/510,890  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or invention certificate, or a PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed		
<u>CA 2,381,341</u> (Number)	<u>CANADA</u> (Country)	<u>09/04/02</u> (Day/Month/Year Filed)	<b>X</b> YES NO

**BEST AVAILABLE COPY**

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(Number)	(Country)	(Day/Month/Year Filed)	YES	NO
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I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

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(Application Ser. No.)	(Filing Date)
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

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<u>PCT/CA03/00522</u>	<u>April 8, 2003</u>	<u>Pending</u>
(Application Ser. No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

**B. Edward Shlesinger, Jr., Reg. No. 17,225; Josefino P. de Leon, Reg. No. 33,166; Terrence L. B. Brown, Reg. No. 32,685; and Michael M. Zadrozny, Reg. No. 30,985.**

SEND CORRESPONDENCE TO: **SHLESINGER, ARKWRIGHT & GARVEY LLP**  
**1420 King Street, Suite 600,**  
**Alexandria, Virginia 22314**

DIRECT TELEPHONE CALLS TO **Michael M. Zadrozny (703) 684-5600**

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The undersigned hereby authorizes the U.S. attorney(s) or agent(s) named herein to accept and follow instructions from **Ridout & Maybee** as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) or agent(s) and the

undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney(s) or agent(s) named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under \$1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first inventor HOI LUN ALLAN TSE  
Inventor's signature *HLAT* Date March 7, 2005  
Residence 42 Dogwood Street, Markham, Ontario, Canada L6E 1G3  
Citizenship Canadian  
Post Office Address same as above